

IN THE UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

RUTH SMITH, Individually and as Widow for the)	
Use and Benefit of Herself and the Next Kin of)	
Richard Smith, Deceased,)	
)	
Plaintiff,)	Civil No. 3:05-0444
)	Judge Aleta A. Trauger
v.)	(Dist. Of MA No.
)	1:05-cv-11515PBS)
PFIZER, INC., <i>et al.</i> ,)	
)	
Defendants.)	

**DEFENDANTS' RESPONSES TO PLAINTIFF'S OBJECTIONS TO
DEFENDANTS' DEPOSITION DESIGNATIONS**

Pursuant to the Court's Scheduling Order of April 30, 2010, as amended orally due to flood conditions in Nashville, Defendants, Pfizer Inc and Warner-Lambert Company LLC (collectively, "Defendants" or "Pfizer") herein submit their responses to Plaintiff's objections to the deposition designations identified by Defendants for use at trial, which were filed by Plaintiff on May 12, 2010. Defendants are willing to further meet and confer with Plaintiff over deposition designations and objections for depositions identified by Plaintiff that actually will be proffered at trial.

Response To Objections to Defendants' Counter Designations:

Deponent: **Larry Alphs**

Deposition Date: **6/22/07**

Beginning Page : Line	Ending Page : Line	Basis for Objection/Additional pg/line for completeness	Response
621:10	626:15	Irrelevant	Relevant. Dr. Alphs worked in CNS Research and Development at Pfizer. Testimony above is relevant because it relates to his background and experience with suicidality and is pertinent to his ability to recognize any alleged safety issue.

Response to Objections to Defendants' Designations:

Deponent: **Frank Berklacich, M.D.**

Deposition Date: **6/7/2007**

Beginning Page : Line	Ending Page : Line	Basis for Objection/Additional pg/line for completeness	Responses
14:21	15:1	FRE 403; speculative; vague; hearsay	Dr. Berklacich was a treating physician of Mr. Smith. His testimony is highly relevant and he testifies about the meaning of medical records in Mr. Smith's file in light of his own clinical experience with Mr. Smith and other patients. It is not hearsay, it is not speculative, and there is no unfair prejudice.
15:2	15:8	FRE 402; FRE 403; hearsay	
19:6	19:15	Assumes facts; misquotes deponent; FRE 403	
42:10	42:13	Speculative	

Response to Objections to Defendants' Designations:

Deponent: **Wayne Biggs**

Deposition Date: **2/8/2008**

Beginning Page : Line	Ending Page : Line	Basis for Objection/Additional pg/line for completeness	Responses
21:8	22:2	Double hearsay; assumes facts; FRE 403	Subject to multiple hearsay exceptions under 803(1)-(6), (8); no speculation; no unfair prejudice.
24:3	24:21	Speculative	Not speculation; explaining normal protocol.
24:22	26:12	Irrelevant	Relevant, explains why autopsy not done.
27:14	28:2	Vague; speculative	designation withdrawn
52:7	54:5	Hearsay; irrelevant	Relevant on autopsy question; no hearsay, its about what he told family.
55:11	57:21	Speculative; hearsay	No hearsay involved and not speculation, but conclusion reached on manner and cause in performance of his official duties.
57:22	59:6	Speculative	Not speculation, but conclusion reached on manner and cause in performance of his official duties.
73:7	74:6	Speculative	Not speculation; explaining normal protocol.

Response to Objections to Defendants' Designations:

Deponent: **Wes Carnahan**

Deposition Date: **10/23/07**

Beginning Page : Line	Ending Page : Line	Basis for Objection/Additional pg/line for completeness	Responses
11:19	13:3	Irrelevant; FRE 403	Relevant to basis for testimony being recollection, no existence of contemporaneous notes. No unfair prejudice.
13:21	14:7	Assumes facts; calls for speculative	Relevant testimony that does not assume facts; foundation present. Not speculation.
26:15	26:23	Irrelevant; FRE 403	Relevant; no unfair prejudice
29:3	30:12	Irrelevant; FRE 403	Relevant; no unfair prejudice; defines extent of knowledge.
32:19	32:22	Irrelevant; FRE 403	Relevant; no unfair prejudice.
33:22	34:7	Hearsay, vague	Not hearsay; not vague.
34:13	35:5	Irrelevant; FRE 403	Relevant; no unfair prejudice.
43:3	47:6	Irrelevant; speculative; hearsay	Relevant; not speculation; not hearsay; use of records in question is not hearsay and subject to hearsay exception in any event.
47:7	48:5	Assumes facts; speculative; hearsay	Not hearsay; not speculative; foundation exists.
48:20	48:25	Hearsay	Not hearsay testimony; foundation exists.
65:11	66:2	Irrelevant; FRE 403	Relevant; no unfair prejudice.
70:24	71:5	Irrelevant; FRE 403	Relevant; no unfair prejudice.
73:8	73:15	Irrelevant; FRE 403	Relevant; no unfair prejudice.

Response to Objections to Defendants' Counter Designations:

Deponent: **Lucy Castro**

Deposition Date: **7/11/2007**

Beginning Page : Line	Ending Page : Line	Basis for Objection/Additional pg/line for completeness	Responses
638:13	639:3	Irrelevant	This testimony is relevant to Ms. Castro's background and current employment responsibilities.
640:11	641:4	Irrelevant; improper expert testimony by fact witness; FRE 702; lacks foundation	Pfizer withdraws Ms. Castro's testimony regarding her use of Neurontin at 640:21-641:4. As to Ms. Castro's testimony at 640:11-640:20, this testimony is relevant and is based on Ms. Castro's personal knowledge and experience.
647:15	647:23	FRE 702; improper expert testimony by fact witness	This testimony is based on Ms. Castro's personal knowledge and experience.
690:14	691:21	Irrelevant	This testimony is relevant as to Neurontin's risk benefit profile.
701:13	701:22	Lacks foundation; speculative	This testimony is based on Ms. Castro's personal knowledge and experience.

Response to Objections to Defendants' Designations:

Deponent: **James Cato, M.D.**

Deposition Date: **6/29/07**

Beginning Page : Line	Ending Page : Line	Basis for Objection/Additional pg/line for completeness	Responses
9:15	11:12	Irrelevant	Relevant testimony about preparation for deposition, nature of practice, and experience prescribing Neurontin.

Response to Objections to Defendants' Designations:Deponent: **Drew Charlton**Deposition Date: **10/3/07**

Beginning Page : Line	Ending Page : Line	Basis for Objection/Additional pg/line for completeness	Responses
15:9	15:16	Speculative	Not speculation; he does not recall.
21:18	22:3	Speculative	Not speculation; he answered he does not know.
25:1	25:9	Speculative; irrelevant	Not speculation; he answered no.

Response to Objections to Defendants' Designations:Deponent: **Suzanne Doft**Deposition Date: **6/13/2007**

Beginni ng Page : Line	Endin g Page : Line	Basis for Objection/Additional pg/line for completeness	Responses
633:16	634:2	Irrelevant	This testimony is relevant to Ms. Doft's background and current employment.
645:1	646:13	Lacks foundation; speculative	This testimony is based on Ms. Doft's personal knowledge and experience.
647:22	648:15	Irrelevant	This testimony is relevant as to Neurontin's safety and efficacy in the treatment of neuropathic pain.

Response to Objections to Defendants' Counter Designations:

Deponent: **Robert Glanzman, M.D.**

Deposition Date: **8/2/2007**

Beginning Page : Line	Ending Page : Line	Basis for Objection/Additional pg/line for completeness	Responses
724:23	725:12	Lacks foundation; speculative	This testimony is based on Mr. Glanzman's personal knowledge and experience.
752:17	752:24	Irrelevant	This testimony is relevant as to Neurontin's safety and efficacy in the treatment of neuropathic pain.

Response to Objections to Defendants' Designations:

Deponent: **Manfred Hauben, M.D.**

Deposition Date: **7/12/07-7/13/07**

Beginning Page : Line	Ending Page : Line	Basis for Objection/Additional pg/line for completeness	Responses
124:8	124:22	Non responsive	The testimony is responsive to the question posed.
126:23	128:18	Non responsive	The testimony is responsive to the question posed.
296:17	297:1	Non responsive; speculative	The testimony is responsive and is based on Dr. Hauben's personal knowledge and experience.
325:22	326:1	Hearsay	The testimony is non-hearsay and is not offered for the truth of the matter asserted.
348:5	348:16	Speculative	The testimony is based on Dr. Hauben's personal knowledge and experience.
349:2	349:14	Speculative; calls for expert testimony (regulatory/labeling)	The testimony is based on Dr. Hauben's personal knowledge and experience.
452:11	453:1	Non responsive	The testimony is responsive to the question posed.

525:8	525:17	Non responsive	The testimony is responsive to the question posed.
530:24	531:4	Hearsay	The testimony is non-hearsay and is not offered for the truth of the matter asserted.
531:9	531:22	Hearsay	The testimony is non-hearsay.
549:22	550:11	Calls for expert testimony; lacks foundation	The testimony is based on Dr. Hauben's personal knowledge and experience.

Response to Objections to Defendants' Designations:

Deponent: **Buford Hoskins**

Deposition Date: **10/24/07**

Beginning Page : Line	Ending Page : Line	Basis for Objection/Additional pg/line for completeness	Responses
43:21	44:8	Speculative; irrelevant	Designation withdrawn.
47:24	48:24	Speculative; irrelevant	Relevant, not speculation.

Response to Objections to Defendants' Designations:

Deponent: **Sherri Hoskins**

Deposition Date: **10/24/07**

Beginning Page : Line	Ending Page : Line	Basis for Objection/Additional pg/line for completeness	Responses
6:20	7:16	Irrelevant	Relevant background on process for context.
13:22	14:9	Irrelevant	Relevant re extent of knowledge and existence of other evidence.
23:20	24:1	Speculative	Not speculation to answer "I really don't remember."
33:22	34:1	Speculative	Not speculative to not remember.
40:16	41:4	Irrelevant; hearsay	Colloquy withdrawn.
42:25	43:8	Irrelevant; speculative	Colloquy withdrawn.
45:3	45:22	Irrelevant; speculative; vague	Relevant, not vague, not speculative testimony about her contact with and observations of her father.
46:4	46:10	Speculative; vague	Relevant, not vague, not speculative testimony about her contact with and observations of her father.
47:10	47:16	Hearsay	Not hearsay; foundation exists.
47:18	48:3	Hearsay	Not hearsay; foundation exists.
48:5	48:10	Speculative	Colloquy withdrawn.
48:22	49:2	Speculative	Relevant; not speculative to not remember.
53:13	54:1	Speculative	Not speculative to not remember.
68:1	68:5	Speculative	Not speculative.
68:6	68:17	Irrelevant	Colloquy withdrawn.
68:18	69:9	Speculative	Not speculative.
70:19	71:16	Irrelevant; vague	Relevant.

Response to Objections to Defendants' Designations:

Deponent: **Lloyd Knapp, Pharm.D.**

Deposition Date: **6/28/07**

Beginning Page : Line	Ending Page : Line	Basis for Objection/Additional pg/line for completeness	Responses
711 : 4	713 :25	Leading	The question posed is not leading, but instead is open-ended and does not suggest an answer.
715 : 4	715 : 9	Speculative	The testimony is based on Mr. Knapp's personal knowledge and experience.

Response to Objections to Defendants' Counter Designations:

Deponent: **Lloyd Knapp, Pharm.D.**

Deposition Date: **7/18/2006**

Beginning Page : Line	Ending Page : Line	Basis for Objection/Additional pg/line for completeness	Response
189:13	190:3	Lacks foundation; speculative	The testimony is based on Mr. Knapp's personal knowledge and experience.

Response to Objections to Defendants' Designations:

Deponent: **Arnold Lawson**

Deposition Date: **10/4/07**

Beginning Page : Line	Ending Page : Line	Basis for Objection/Additional pg/line for completeness	Responses
7:23	7:23	Irrelevant	Introductory comment.
9:13	9:16	Irrelevant	Withdrawn.

Response to Objections to Defendants' Designations:Deponent: **Gayle Lawson**Deposition Date: **10/4/07**

Beginning Page : Line	Ending Page : Line	Basis for Objection/Additional pg/line for completeness	Responses
17:2	17:11	Irrelevant	Relevant.
22:9	22:18	Speculative	Not speculative.
25:6	25:15	Speculative	Not speculative.
43:9	43:19	Speculative	Not speculative.
46:21	47:21	Speculative	Not speculative.
56:25	58:1	Speculative	Not speculative.
63:2	63:14	Speculative	Not speculative.
71:15	71:18	Speculative	Not speculative.
77:20	78:5	Irrelevant	Relevant.
84:15	85:2	Speculative	Not speculative.
85:10	86:6	Speculative	Not speculative.
87:13	87:16	Speculative	Not speculative.
91:21	91:25	Speculative	Colloquy withdrawn.
92:2	92:21	Speculative	Not speculative.
93:2	93:8	Speculative	Not speculative.

Response to Objections to Defendants' Designations:Deponent: **Edward Mackey, M.D.**Deposition Date: **5/23/07**

Beginning Page : Line	Ending Page : Line	Basis for Objection/Additional pg/line for completeness	Responses
108:23	109:19	Hearsay; speculative	Non-hearsay testimony; foundation; exception applies to any hearsay; not speculative.

Response to Objections to Defense Counter Designations:

Deponent: **Edward Mackey, M.D.**

Deposition Date: **05/23/2007**

Beginning Page : Line	Ending Page : Line	Basis for Objection // Additional pg/line for completeness	Responses
115:23	117:18	Hearsay	Not hearsay; exception applies to medical records discussed.
109:7	109:12	sidebar	Objection not found.

Response to Objections to Defendants' Counter Designations:

Deponent: **John Marino**

Deposition Date: **7/3/2007**

Beginning Page : Line	Ending Page : Line	Basis for Objection/Additional pg/line for completeness	Responses
594:16	595:22	Speculative; lacks foundation	This testimony is based upon Mr. Marino's personal knowledge and experience. Counter-designation; designated in response to plaintiff's designation
596:12	597:6	Speculative; lacks foundation	This testimony is based upon Mr. Marino's personal knowledge and experience. Counter-designation; designated in response to plaintiff's designation
597:17	598:9	Speculative; lacks foundation	This testimony is based upon Mr. Marino's personal knowledge and experience. Counter-designation; designated in response to plaintiff's designation
598:23	601:8	Speculative; lacks foundation; irrelevant	This testimony is based upon Mr. Marino's personal knowledge and experience. Counter-designation; designated in response to plaintiff's designation
606:6	606:18	Lacks foundation; speculative;	This testimony is based upon Mr.

		irrelevant	Marino's personal knowledge and experience. Counter-designation; designated in response to plaintiff's designation
614:19	616:9	Lacks foundation; speculative	This testimony is based upon Mr. Marino's personal knowledge and experience.
616:10	617:18	Relevance; lacks foundation; speculative	This testimony is based upon Mr. Marino's personal knowledge and experience.
618:6	618:18	Lacks foundation; speculative	This testimony is based upon Mr. Marino's personal knowledge and experience.
629:10	629:22	Lacks foundation; speculative; calls for legal conclusion	This testimony is based upon Mr. Marino's personal knowledge and experience. Counter-designation; designated in response to plaintiff's designation.
630:6	630:17	Lacks foundation; speculative; calls for legal conclusion	This testimony is based upon Mr. Marino's personal knowledge and experience.
630:24	631:7	Asked/answered; lacks foundation; speculative; calls for legal conclusion	This testimony is based upon Mr. Marino's personal knowledge and experience.
632:5	632:11	Asked/answered; lacks foundation; speculative; calls for legal conclusion	This testimony is based upon Mr. Marino's personal knowledge and experience.

Response to Objections to Defendants' Designations:

Deponent: **Paul McCombs, M.D.**

Deposition Date: **6/8/07**

Beginning Page : Line	Ending Page : Line	Basis for Objection/Additional pg/line for completeness	Responses
6:15	6:20	Irrelevant	Introductory testimony.
16:4	16:21	Irrelevant	Identifies chart status.

Response to Objections to Defendants' Designations:

Deponent: **Cynthia McCormick, M.D.**

Deposition Date: **2/14/08**

Consistent with Plaintiff's motion in limine, Docket No. 92, to exclude testimony of Defendants' expert Cynthia McCormick, Plaintiff objects to Defendants' submission of deposition designations relating to Cynthia McCormick, M.D. Notwithstanding Plaintiff's objections, Plaintiff shall submit counter-designations as attached hereto.

Beginning Page : Line	Ending Page : Line	Basis for Objection/Additional pg/line for completeness	Response
106 : 21	107 : 17	Form – leading, expert opinion by fact witness	On April 29, 2010 (Docket No. 191), this Court denied Plaintiff's Motion to Strike the Affidavit and the Fact and Opinion Testimony of Cynthia McCormick, M.D. Questions not leading in context and do not suggest answers. Not hearsay and/or subject to exception
108 : 13	109 : 6	Form – leading, improper expert opinion by fact witness	
117 : 1	117:20	Form – ambiguous and compound: use of words “suggest or recommend”	
128 : 2	128 : 21	Form – leading	
129:4	129:14	Expert opinion by fact witness	
129 : 15	130 : 17	Form – leading	
132:18	132:22	Hearsay	
171 : 3	171 : 11	Form – leading	
172:7	172:11	Expert opinion by fact witness	
175:24	176:17	Expert opinion by fact witness	
182:12	182:19	Form – leading; calls for expert testimony; speculative	
190:8	190:19	Expert opinion by fact witness	
192:9	192:11	Expert opinion by fact witness	

Response to Objections to Defendants' Counter Designations:

Deponent: **Cynthia McCormick, M.D.**

Deposition Date: **2/14/2008**

Beginning Page : Line	Ending Page : Line	Basis for Objection/Additional pg/line for completeness	Response
109:9	111:8	Lacks foundation; speculative; incomplete hypothetical; answer non-responsive	On April 29, 2010 (Docket No. 191), this Court denied Plaintiff's Motion to Strike the Affidavit and the Fact and Opinion Testimony of Cynthia McCormick, M.D. Foundation exists, testimony not speculative, answer responsive.

Response to Objections to Defendants' Designations:

Deponent: **Atul Pande, M.D.**

Deposition Date: **9/19/07-9/20/07**

Beginning Page : Line	Ending Page : Line	Completeness	Basis for Objection/Additional pg/lines for completeness	Response
14:9	15:19		He is not a designated expert and wrote no expert reports; this resume was superseded: Exhibit 1; hearsay; irrelevant	In 1994, Dr. Pande was appointed Director of CNS Clinical Research at Parke-Davis Pharmaceutical Research in Ann Arbor, and in 1996 was promoted to Senior Director with responsibility for the worldwide development of psychotropic drugs. While in this position, Dr. Pande oversaw new drug development efforts in depressive, anxiety and psychotic disorders. Dr. Pande left Pfizer in November 2005.
603:14	632:17		Defendants does not list Pande as an expert on any subject and did not submit a Rule 26 report from him. During his deposition, he repeatedly stated that he is not an expert. He has not treated patients in almost 20 years, has never prescribed Neurontin, and does not read	

			<p>patient records. At p. 612, he says he does not follow the literature and has no access to company documents. Even so, Defendants' counsel elicited expert opinions from him on topics that require Rule 26 disclosure, preparation, report, and a foundation for the opinion. This section (pp. 603-632) covers his opinion on what it means that doctors are still prescribing Neurontin (no experience or foundation); where doctors get their information to make prescribing decisions; and the medicine's "overall safety profile".</p>	<p>The testimony designated is fact testimony based upon Dr. Pande's knowledge working at Parke-Davis.</p>
616:20			Exhibit 41; CV; hearsay; irrelevant; did not identify him as expert or provide Rule 26 disclosures	
624:21	632:17		Same objection; journal articles are not admissible, article not previously disclosed, and underlying research not reliable. He read a paper and received advice from a patent attorney to file the patent for Neurontin for bipolar. Exhibit 42; hearsay; article; expert opinion; no Rule 26 disclosure; opinion unreliable; FRE 702, <i>et seq.</i>	
641:8	661:2		Same as above; hearsay; expert opinion about Parke-Davis thought processes	
646:20			Same as above; interprets the outcome of a hearsay study; Exhibit 43; hearsay; article; expert opinion; no Rule 26 disclosure;	

			unreliable; FRE 702, <i>et seq.</i>	
657:24			Same as above, interprets the outcome of a hearsay study; Exhibit 44; hearsay; article; expert opinion; no Rule 26 disclosure; unreliable; FRE 702, <i>et seq.</i>	

Response to Objections to Defendants' Designations:

Deponent: **Danny Satterfield**

Deposition Date: **2/7/08**

Beginning Page : Line	Ending Page : Line	Basis for Objection/Additional g/line for completeness	Responses
23:14	23:15	Irrelevant	Colloquy withdrawn.
46:24	47:9	Vague	Not vague.

Response to Objections to Defendants' Designations:

Deponent: **Drusilla Scott**

Deposition Date: **12/13/07**

Beginning Page : Line	Ending Page : Line	Basis for Objection/Additional pg/line for completeness	Responses
609:14	609:22	Lacks foundation; calls for speculative	Testimony is based on Ms. Scott's personal knowledge and experience.
613:6	614:11	Lacks foundation; calls for expert testimony	Testimony is based on Ms. Scott's personal knowledge and experience.
614:12	614:17	Lacks foundation; calls for expert testimony	Testimony is based on Ms Scott's personal knowledge and experience..
614:18	615:5	Lacks foundation; calls for speculative; leading; calls for expert testimony	Testimony is based on Ms. Scott's personal knowledge and experience.

Response to Objections to Defendants' Designations:

Deponent: **Cindy Smith-Charlton**

Deposition Date: **10/3/07**

Beginning Page : Line	Ending Page : Line	Basis for Objection/Additional pg/line for completeness	Responses
27:12	27:20	Hearsay	Not hearsay.
69:3	69:18	Vague, ambiguous	Not vague nor ambiguous.
118:4	119:2	Irrelevant; FRE 403; assumes facts not in evidence	Relevant testimony regarding life circumstances; not unfairly prejudicial; nor assumes facts.
124:22	125:8	Argumentative	Not argumentative and answer speaks for itself.
158:13	160:16	Irrelevant; FRE 403	Relevant; not unfairly prejudicial.
169:18	169:25	Irrelevant	Relevant.

Response to Objections to Defendants' Designations:

Deponent: **Ruth Smith**

Deposition Date: **4/12/07**

Beginning Page : Line	Ending Page : Line	Basis for Objection/Additional pg/line for completeness	Responses
5:9	5:17	Irrelevant; FRE 403	Agree to redact Soc. Sec. No.
6:11	6:20	FRE 403	Withdrawn.
54:7	54:16	FRE 403	No unfair prejudice.
64:5	64:5	Irrelevant	Relevant transition.
64:13	64:22	Vague	Colloquy withdrawn.
70:15	70:25	Vague	Colloquy withdrawn.
97:22	98:4	Misstates facts	Testimony speaks for itself.
111:9	111:14	Hearsay	Not hearsay; medical record subject to exception.
135:5	135:20	Hearsay	Not hearsay; medical record subject to exception.
136:14	137:25	Hearsay; FRE 403; speculative	Relevant testimony; not unfairly prejudicial; not hearsay or subject to exception; not speculative testimony.

Response to Objections to Defendants' Designations:

Deponent: **Stewart Stowers, M.D.**

Deposition Date: **6/28/07**

Beginning Page : Line	Ending Page : Line	Basis for Objection/Additional pg/line for completeness	Responses
9:21	11:5	Irrelevant	Relevant.
50:13	50:19	Speculative	Not speculation.

Response to Objections to Defendants' Designations:

Deponent: **Charles Taylor, Ph.D.**

Deposition Date: **08/27/09**

Beginni ng Page : Line	Ending Page : Line	Basis for Objection/Additional pg/line for completeness	Responses
7:22	9:14	Relevant; prejudicial	Relevant to why Dr. Taylor is not testifying live.
27:12	29:17	Lacks foundation – as to micrograph – for entire exhibit's use	Chart that was prepared by Dr. Taylor to assist in his testimony.
79:4	79:24	Speculative; lacks foundation	Testimony is based on Dr. Taylor's research and opinions.
95:17	97:23	Hearsay; lacks foundation	Testimony is based on Dr. Taylor's research.
98:4	101:14	Hearsay; lacks foundation	Testimony is based on Dr. Taylor's research.
125:8	129:17	Hearsay; lacks foundation	Testimony is based on Dr. Taylor's research.
287:24	288:8	Leading	Non-leading.

Objections to Defendants' Counter Designations:

Deponent: **Charles Taylor, Ph.D.**

Deposition Date: **6/4/2007**

Beginning Page : Line	Ending Page : Line	Basis for Objection/Additional pg/line for completeness	Response
All	All	Plaintiff objects to all Defendants' designations of testimony because Dr. Taylor is Defendants' retained expert. Without adequate proof of his inability to testify in-person at trial, Plaintiff object to the introduction of Defendants' designations.	On April 29, 2010 (Docket No. 191), this Court denied Plaintiff's Motion <i>in Limine</i> to preclude Defendants from Using the Deposition of Dr. Charlie Taylor at Trial.

Deponent: **Charles Taylor, Ph.D.**

Deposition Date: **8/27/2009**

Beginning Page : Line	Ending Page : Line	Basis for Objection/Additional pg/line for completeness	Response
All	All	Plaintiff objects to all Defendants' designations of testimony because Dr. Taylor is Defendants' retained expert. Without adequate proof of his inability to testify in-person at trial, Plaintiff object to the introduction of Defendants' designations.	On April 29, 2010 (Docket No. 191), this Court denied Plaintiff's Motion <i>in Limine</i> to preclude the Defendants from Using the Deposition of Dr. Charlie Taylor at Trial.

Response to Objections to Defendants' Designations:

Deponent: **Janeth Turner**

Deposition Date: **10/11/07-10/12/07**

Beginning Page : Line	Ending Page : Line	Basis for Objection/Additional pg/line for completeness	Responses
52:24	53:10	Lacks foundation; no bases – FDA opinion	Testimony is based on Ms. Turner's personal knowledge and experience.
97:20	97 :23	Leading; calls for expert opinion; speculative	Testimony is based on Ms. Turner's personal knowledge and experience.
270:22	272:20	Non-responsive	Testimony is responsive and relevant.
556:22	557:2	Lacks foundation	Testimony is based on Ms. Turner's personal knowledge and experience.
567:17	568:25	Speculative; lacks foundation	Testimony is based on Ms. Turner's personal knowledge and experience.
570:24	571:13	Speculative	Testimony is based on Ms. Turner's personal knowledge and experience.
580:18	581:4	Speculative	Testimony is based on Ms. Turner's personal knowledge and experience.
586:2	587:17	Beyond direct -- leading	Not beyond the scope of direct.

Response to Objections to Defendants' Designations:

Deponent: **Chris Wood, D.D.S.**

Deposition Date: **6/7/07**

Beginning Page : Line	Ending Page : Line	Basis for Objection/Additional pg/line for completeness	Responses
46:18	47:9	Irrelevant	Relevant testimony re extent of knowledge.
49:17	49:23	FRE 403; speculative; irrelevant; hearsay; argumentative	Relevant non-hearsay testimony about importance of clinical

			information; not speculative; not argumentative; not unfairly prejudicial; foundation exists and records subject to hearsay exception.
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Dated: May 13, 2010

Respectfully submitted,

SKADDEN, ARPS, SLATE,
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*Attorneys for Defendants Pfizer Inc and
Warner-Lambert Company LLC*

CERTIFICATE OF SERVICE

I hereby certify that on this the 13th day of May 2010, I electronically filed the foregoing document with the Clerk of the Court, United States District Court for the Middle District of Tennessee, using the CM/ECF system. True and correct copies of the foregoing documents are being served via the Court's CM/ECF system on the following:

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